IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 20967 of 2004

Between:

A.Narasimha, S/o Late Sri Lingaiah,
Suraram Gram Panchayat, Ramannapet Mandal of Nalgonda District

... PETITIONER

AND

1 The District Collector (Panchayat Wing), Nalgonda
2 The Commissioner of Panchayat Raj and Rural Employment, Government of

A.P.Panchayat Raj Bhavan, Himayathnagar, Hyderabad

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or Order or direction more in the nature of Writ of Mandamus declaring the impugned order of the respondent No.1 issued in his proceedings No.755/2004-A1(Pts) dated 26-10-2004 in restricting the cheque drawing power of the petitioner with immediate effect as illegal, arbitrary, unjust, unconstitutional and violative of the Provisions of the A.P.Panchayat Raj Act, 1994, besides being violative of principles of natural justice, while issuing a consequential direction to the respondents to restore the cheque drawing power to the petitioner forthwith in the interest of justice.

Counsel for the Petitioner: MR.D.GOVARDHANACHARY
Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court, at the admission stage, made the following:

ORDER:

Heard the learned counsel for petitioner and also the learned Government Pleader for res pondents.

2. On a complaint made by the ward members, the cheque-drawing powers of the petitioner were restricted by the District Collector, Nalgonda through Proc.No.755/04-A1 (Pts) dated 26-10-2004 with immediate effect and the Mandal Parishad Development Officer, Ramannapet was authorized to countersign all the cheques presented by the petitioner relating to Gram Panchayat funds.

3. Since cheque-drawing powers of the petitioner are not completely withdrawn, respondents shall provide the complaint so made by the ward members to the petitioner within two weeks from the date of receipt of a copy of this order and on complaint being provided; petitioner is at liberty to submit his explanation. On petitioner submitting his explanation, respondents are directed to pass appropriate orders within a period of two weeks thereafter.

The writ petition is accordingly disposed of.

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A. **GOPAL REDDY, J**

November 17, 2004

MRR

To:

1 The District Collector (Panchayat Wing), Nalgonda
2 The Commissioner of Panchayat Raj and Rural Employment, Government of

A.P.Panchayat Raj Bhavan, Himayathnagar, Hyderabad

3 Two C.C. s to the G.P. for Panchayat Raj and Rural Development, High Court

Buildings, Hyderabad (OUT)

4 Two C.D. Copies.